

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

NO. 5:19-CV-247-FL

SHAQUAN ENVI-EL, also known as  
Shaquan Lavena Lesane,

Plaintiff,

v.

SAM HAMADANI, Wake County Family  
Court Judge, JONATHAN BREEDEN,  
and JEFFERY EDWARDS, JR.,

Defendants.

ORDER


This matter is before the court on the Memorandum and Recommendation (“M&R”) of United States Magistrate Judge Robert T. Numbers, II, regarding plaintiff’s motion to proceed in forma pauperis and frivolity review of plaintiff’s complaint. (DE 4). No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

The district court reviews de novo those portions of a magistrate judge’s M&R to which specific objections are filed. 28 U.S.C. § 636(b). Absent a specific and timely filed objection, the court reviews only for “clear error,” and need not give any explanation for adopting the M&R. Camby v. Davis, 718 F.2d 198, 200 (4th Cir.1983).

In this case, the magistrate judge correctly determined that plaintiff has demonstrated appropriate evidence of inability to pay the required court costs, but that the complaint fails to state a claim and is frivolous. See, e.g., Lance v. Dennis, 546 U.S. 459, 463 (2006) (per curiam) (“lower federal courts are precluded from exercising appellate jurisdiction over final state-court judgments”);

see also Rooker v. Fid. Tr. Co., 263 U.S. 413 (1923); D.C. Court of Appeals v. Feldman, 460 U.S. 462 (1983). Thus, the court ADOPTS the M&R, GRANTS the application to proceed in forma pauperis, and DISMISSES WITHOUT PREJUDICE the complaint.

SO ORDERED, this the 8th day of August, 2019.

  
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LOUISE W. FLANAGAN  
United States District Judge